

REMARKS

This Amendment is in response to the Office action mailed September 26, 2003. By this paper, claims 1, 12, 16 and 26 are amended and claims 33-34 are added. Accordingly, claims 1-34 are pending upon entry of this amendment.

I. Response to Objection to the Drawings

It is respectfully requested that Figure 3 of the drawings in the above-entitled application be replaced with corrected Figure 3 as submitted herewith. As identified by the Examiner, reference character "78" was not mentioned in the description. The amendment involves the deleting reference character "78". No new matter is added by this amendment.

The drawings were also objected to because reference character "25" was not mentioned in the description. Applicants cannot find a reference character "25" on any of the submitted drawings. Applicants' request the Examiner to specifically identify which figure contains reference character "25". Applicants note that Figure 1 contains reference character "26" pointing to the crotch region of the training pants. In applicants' photocopy of the submitted drawings, the "6" may appear to be a "5" as a result of coping-induced degradation of the figure. If the Examiner's copy of Figure 1 is also of unacceptable quality and this is the issue, Applicants will promptly resubmit a cleaner version of Figure 1.

II. Rejection of Claim 1

Claim 1, as amended, is particularly directed to the provision of a mechanical fastening system for an article such as training pants. More particularly, claim 1, as amended, is directed to a mechanical fastening system comprising:

a first fastening component mountable on the article and comprising a stretchable loop material which is free to stretch in use, the stretchable loop material formed from a laminate including a high bond point nonwoven facing having greater than 225 bond points per square inch joined to an elastic substrate; and

a second fastening component mountable on the article so as to be engageable with the first fastening component, the second fastening component being made of a hook material;

wherein the stretchable loop material is stretchable during limited movement of the first fastening component relative to the second fastening component when the fastening components are engaged.

Claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,614,281 issued to Jackson (hereinafter "Jackson"). Claim 1 as amended is patentable over Jackson in that the reference fails to show or suggest a stretchable loop material formed from a laminate including a high bond point nonwoven facing having greater than 225 bond points per square inch joined to an elastic substrate.

Jackson discloses a creped nonwoven laminate loop material (10) to be employed as the loop material of a hook and loop fastening system, such as used on disposable personal care absorbent articles. The laminate loop material (10) has a

creped nonwoven layer (12) attached to a support layer (14). Jackson, col. 5, lines 43-46. The creped nonwoven layer may be, for example, a spunbond nonwoven web or a staple fiber bonded carded web. The nonwoven web may be made with a surface bond area between about 10 and about 25 percent, using a bond point density of between about 15.5 and 46.5 bond points per square centimeter. Jackson, col. 8, lines 3-10. The support layer provides structural integrity for the creped nonwoven laminate material and dimensionally stabilizes the creped nonwoven layer. The creped structure of the nonwoven layer further provides resistance against compression of the fibers forming the hook receiving loop material during use, thereby facilitating entry and engagement of hook elements projecting from the hook material. Jackson, col. 9, lines 39-49.

Jackson discloses that the support layer may be formed of a material such as a foam, a plastic film or another nonwoven web that can be suitably attached or bonded to the nonwoven layer. Jackson, col. 9, line 39 - col. 10, line 9. However, Jackson fails entirely to disclose or suggest that the support layer is an elastic substrate as required by claim 1. Accordingly, claim 1 is patentable over the cited reference and favorable consideration of claim 1 is respectfully requested.

Independent claims 12, 16 and 26 contain limitations similar to those described above and are patentable over Jackson for at least the same reasons. Claims 2-11, 13-15, 17-25 and 27-34, depending directly or indirectly one of the above claims, are submitted as patentable over the cited reference for the same reasons.

New Claims

New claim 36, depending from claim 1, contains the additional limitation that the first fastening component can be elongated about 100 percent in at least one direction. Jackson fails to disclose or suggest a fastening component that can be elongated by about 100 percent in at least one direction. For this additional reason, claim 36 is patentable over the cited art.

III. Conclusion

In view of the foregoing, reconsideration and prompt allowance of claims 1-36 is respectively requested.

Respectfully submitted,



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CERTIFICATE OF MAILING

I certify that this Amendment A in the application of Mathew L. Koele, et al., Serial No. 10/038,675, filed December 31, 2001 is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 19th day of December, 2003.



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